Dear Howard 12/29/73

Been too busy, with new May problems partly indicated by enclosed memo. Took all of yestedday and parts preceeding days, most Thursday in D.C., but my moves have been successful, more than I could have expected, even with Bud.

Read you 12/26 when it came yesterday and will reread now. Read clips enclosed when I have odd moments. Thanks for them.

If you do not have a copy of the Vidal NYReview piece let meknow. Maybe JW will send, if he doesn't want. I have spare copy if he doesn't.

You are right not have added copout the intellectuals want. That was the initial problem, them, their attitude, etc. Commission staffed by the scholars have been uniformly coouts. If almost all are anyway, why guarantee it? Look at present Ervin committee, staffed by those at the top who want to whitewash. And are doing it effectively.

The suggestion of the afterword is a good one but the formulation seems not the best. I will do what you want if you really do want it, but I think you really do not for a number of reasons I'll try to remember and list. In general, I think handling it in generalities as I did in epilogue WWII is better, philosophically and then however you want, perhaps not in passion as I did.

Yourcentral problem, as I see them, include prolixity, as Tink saw in your draft, basic understanding of some of what you refer to, and a very serious one, of dealing with a breaking story and anticipating everything that will happen in the period including the coming year and what will follow. It is not the same as part of the text of a book, reporting facts in the context of the past.

Working the stuff on Ford and Jaworski in now if not that easy because of these things, aside from which you dongt know how each will react for the life of your beook and before it appears. I think that to judge Jaworski to be a whiteasher, which he is, of course, is wrong. He is, fundamentally, an Establoshmentarian. I believe he will do what he thinks serves Establishmentarian interest and his own. Thus I do not believe he can be depended upon to whitewash. At the moment he doesn't dare or there will be a revolt by his staff. He is and has to continue to cottin to them. He does not noe dare retreat from the Cox position, which wasn't all that derring-do anyway. So, the situation is guaranteed to make him look good. If he and his decided that Nixon really has to go, then what will your position be if you make him out the covering fink he was? The time for exposing this was when he first took the job. It is a lead balloon at this moment and may well be for the period of your book. The risk is too great. I believe you should not do it, not as a specific. As a generality, if you want to, that is different. You might, in fact, wind up hurting what you want to help. Men do change with their needs and you don't know what his will be a year from now. Nor do you know or can you accurately anticipate the political situation and the context in which it will appear.

If you want to run the lesser risk with Ford, I again suggest a special handling. But you should anticipate the possibility, if it now seems remote, that he might be president by the time of the book or during its shelf life. If you want to, then I'd suggest instead a character study and FBI handling. The kind of guy he is rather than too many specifics on the one thing. Use the stuff I have in WWII or PW, on his fake investigation of himself and his misues of the willing (but careful) Hoover for this. His putting Stile on his payroll is not regarded in the Congress as we regard it, for all Stile did is ghost the book. I'd handle the use of the transcripts with great brevity, merely making the allegation that he sold the top secret and then lied about it before Sen Jud Com 11/5 and then, when caught up in it, lying again and saying he thought it was not secret. Merely referring to the suit I've filed, Lesar can provide copy or I'll lend mine, is safer than using correspondence. That includes what his lawyer's mind says is the best of the repetitious evidence. However, in using the suit you have an advantage inthat you can add what is necessary for what I think you are saying, total absence of any mention of it or the fact when at that moment itproved he was a false swearer if not a perjurer. I think your focus should be on the morals and ethics, not the fact, the detail that you can t handle adequately or safely.

Your thoughts on the institutional failures are right and that is the central point.

suits too? Lesar would be a better source because he has extras if you do not now have. As a matter of fact, I think these suits serve your purpose better and you could handle Ford as part of that, where the context could permit a minor digression on his false swearing and commercializing (compare with his and Connally's "scavengers). All four suits went unreported. Danaher's "forever forfend" give you marvelous context. It makes prior restraint appear to be soaring freedom. Why should the government not release the spectro, for example? Why did it lie about the Ray extradition records, which are court records and per se public. No quote of Danaher by the papers sued over prior restraint. Say unreported at time because at some late point they may be if you use. I think this says what you want to say about the institutions. press, Congress, etc. No mention of suits in Congressional hearings, noenof which wanted to hear from me. Nor did anyone want any of my Ford stuff. Post sat on Jaworski story after it was assigned and written. With 40 pages of documents to substantiate. I do not suggest singling out Post and recommend against it. If you want to include WG committee, I can help you with an example or two, but there is danger again because you don't know how this will go and what their developing needs will be. They may have to get tough and you'd look foolish and wrong. I think I have just replaced missing SM article, but again I don't think you should use. All you should have in this is the new, I think. That belonged in the body of the text if you were to use it. I have more than her artcile and you can have all but I recommend against it. Don't start a new book in your epilogue. Focus it sharply but with a wide angle. I also don8t think you want to say enough where it doesn't fit to take the edge off Paul s work and mine in which this is central, not decorative. Again, this belonged in main text if you were to use. It is ten years old, not an afterword. And if the editor recommends "brief" he is not suggesting what requires detailing and documenting.

There is no letter saying Ford had not been given permission. It says rather that Archives did not give it to him to use.

In general, you can have whatever you want. But first I think you should think this through, deciding on what is a "brief" afterword, then what you want to say in it, then what you want to include and then how to do it. Your readers will not have to have WG documented for them, but if you feel otherwise, then use the juvenile FBI reports on Fiorini, Suarez, etc and show how to not investigate. Perhaps the publisher would like to use some facsimiles? If he would and prints by offset, you could have the facsimiles in the text and instead of much of it. If you decide this is what you want to say, that in such political matters there are political not factual determinations and that, as I title the foreword to my WG book, the past <u>is</u> prologue.

I am inclined to believe your treatment of the and in the afterword should be political. You can do this now whereas you were not mature enough when you started writing the book. What you really will be saying is political,not factual. You will be imparting meaning by histroy's unravelling and for this purpose you don't have to do the unrevelling with documents and what is, really, a new book tacked onto the end. I think reviewers would fault it if you do it.

So, think it through and let me know. I'll ask JL to send set suit papers. Ford.

Meanwhile, I have a spare Ervin Vol 8 if you want. Let me know because others can use it.

While I'm sorry you couldn't make it for the holidays, it seems like it would have been a bad time for both of us. Too much!

The reaction in my mail makes me believe your publish would do well to rush this. There is now a new interest and he should hasten to try to serve it. So should you. The afterword need not delay preparation of what preceeds it. I am the only one who can give this factual view because I am the only one who has the citical books to sell.

If you ever hear of a set of the 26 for sale, I have a friend who wants them.

Have a good year. Best to you all,

Sincerely,